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**FILED**  
HARRISBURG, PA

MAY 14 2002

MARY E. ANDREA, CLERK  
Per [Signature] Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**PENNSYLVANIA PROTECTION AND  
ADVOCACY, INC.**  
Plaintiff

v.

**DEPARTMENT OF PUBLIC WELFARE, et al.: (Judge Caldwell)**  
Defendants

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: No. 1:00-CV-01582  
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**DEFENDANTS' UNOPPOSED MOTION FOR  
ENLARGEMENT OF TIME TO FILE REPLY BRIEF**

Defendants hereby move the court pursuant to Fed. R. Civ. P. 6 (b), for an enlargement of time in which to file their reply brief in support of their motion for summary judgment. In support of this motion, defendants assert the following:

1. On or about January 14, 2002, plaintiff filed a motion for partial summary judgment. Along with the motion, plaintiff filed a supporting brief and a statement of material facts. Defendants filed a motion for summary judgment on February 11, 2002.
2. On April 15, 2002, defendants filed a brief in support of their motion

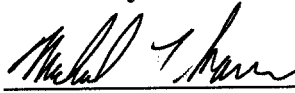
for summary judgment and in opposition to plaintiff's motion for partial summary judgment.

3. On May 6, 2002, plaintiff filed a brief in opposition to defendants' motion for summary judgment and reply brief in support of plaintiff's motion for partial summary judgment.
4. Pursuant to Local Rule 7.7, defendants are permitted to file a brief in reply to matters argued in the brief in opposition to defendants' motion for summary judgment within ten (10) days after service of the opposing brief.
5. Plaintiff served its brief on May 2, 2002. Under the rules of computation set forth in Fed.R.Civ.P. 6, defendants' reply brief is due May 20, 2002.
6. The attorney primarily responsible for preparing the reply brief, Thomas J. Blazusiak, is presently caring for his wife who is undergoing chemotherapy.
7. This care will require him to be absent from work at the end of the week of May 13, 2002, and will make it difficult for him to complete the reply brief by May 20, 2002.
8. Accordingly, defendants request a four day enlargement of time or until Friday, May 24, 2002, to file their reply brief.

**WHEREFORE**, defendants respectfully request an enlargement of time of four days or until May 24, 2002, to file their brief in support of their motion for summary judgment.

**Respectfully submitted,**

**D. MICHAEL FISHER**  
Attorney General

BY:   
**MICHAEL L. HARVEY**  
Senior Deputy Attorney General

**SUSAN J. FORNEY**  
Chief Deputy Attorney General  
Chief, Litigation Section

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**DATE: May 14, 2002**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**PENNSYLVANIA PROTECTION AND  
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Plaintiff**

**v.**

**DEPARTMENT OF PUBLIC WELFARE, et al.: (Judge Caldwell)  
Defendants**

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**CERTIFICATE OF CONCURRENCE**

I, Michael L. Harvey, Senior Deputy Attorney General, hereby certify that  
concurrence was sought from plaintiff's counsel, who has concurred in the motion.



**MICHAEL L. HARVEY  
Senior Deputy Attorney General**

IN THE UNITED STATES DISTRICT COURT  
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Plaintiff

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DEPARTMENT OF PUBLIC WELFARE, et al.: (Judge Caldwell)  
Defendants

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CERTIFICATE OF SERVICE

I, Michael L. Harvey, Senior Deputy Attorney General for the  
Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on  
this date, I caused to be served a true and correct copy of the foregoing by  
depositing it in the United States mail, first-class postage prepaid to the following:

Robert W. Meek  
Disabilities Law Project  
1315 Walnut Street  
Suite 400  
Philadelphia, PA 19107

Mark J. Murphy  
Disabilities Law Project  
1901 Law and Finance Building  
429 Fourth Avenue  
Pittsburgh, PA 15219-1505



MICHAEL L. HARVEY  
Senior Deputy Attorney General

DATE: May 14, 2002